IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

WP(C).No. 8916 of 2007(J)

PETITIONER:

BINI K.P.,KOLLAMARIKKUDI HOUSE,
CHUNANGAMVELI P.O., NALAMMILE, ALUVA.

BY ADV. SMT.P.V.ASHA

RESPONDENTS:

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1. **KERALA STATE ELECTRICITY BOARD,**
   REPRESENTED BY ITS SECRETARY, VAIDYUTHI BHAVAN,
   PATTOM, THIRUVANANTHAPURAM.

2. **THE CHIEF ENGINEER (HRM),**
   VAIDYUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM.

BY ADV. SRI.K.S.ANIL, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C) No.8916 of 2007-J

Dated this the 25th day of May, 2007

J U D G M E N T

The petitioner was a candidate advised by the PSC for appointment to the post of Sub Engineer (Civil) in K.S.E.B. In the meantime, certain vacancies are reduced. She was appointed notionally and was retrenched also notionally. So, she has got a right of re-appointment as and when vacancies arise in that cadre. Alleging that though vacancies are available she is not being considered for appointment, this writ petition is filed.

2. The second respondent has filed a counter affidavit in which it is submitted as follows:

> " It is submitted that, the present working strength of Sub Engineer (Civil) (after the retirements in the year 2006) is 471, including 328 deployed Shift Assistants. As per Board order dated 29-12-2006, the sanctioned strength of Sub Engineer (Civil) has been enhanced to 471 from 163. Thus the 328 deployed Shift Assistants were given posting as Sub Engineer (Civil) itself. It is submitted that, now there is no vacancy to accommodate the 17 retrenched Sub Engineers. It is submitted that, in the Board order dated 29-12-2006, the need-based strength of Assistant Engineer (Civil) has been enhanced to 330 from

> 243. Thus there arose sufficient vacancies for regular appointment of retrenched 87 Assistant Engineers (Civil)."

3. The above submission is recorded and the writ petition is disposed of. As and when vacancies arise if the retrenched Sub Engineers (Civil) are not appointed according to their seniority, the petitioner will be free to approach this Court.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR, JUDGE.

MS